

Message Text

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PAGE 01 STATE 179509

21

ORIGIN EA-09

INFO OCT-01 ISO-00 AS-01 CIAE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00

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APPROVED BY EA:RHMILLER

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FM SECSTATE WASHDC

TO AMEMBASSY MANILA IMMEDIATE

INFO SECDEF WASHDC

JCS WASHDC

CINCPAC

CINCPACAF

CINCPACFLT

CINCPACREPPHIL

CG 13TH AF

C O N F I D E N T I A L STATE 179509

MANILA FOR USDEL, CINCPAC ALSO FOR POLAD

E.O. 11652: GDS

TAGS: MARR, RP

SUBJ: PHILIPPINE BASE NEGOTIATIONS: RULES GOVERNING U.S.

REF: A. BAGUIO 003, B. MANILA 9736, USDEL 73, C. MANILA
10463, USDEL 129

1. ALTHOUGH WE UNDERSTAND FROM PARA 12, REF C THAT PHIL
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PAGE 02 STATE 179509

NEGOTIATORS, IN REDRAFTING ARTICLE IX, HAVE DROPPED ANNEXES

C AND D, WE BELIEVE YOU SHOULD BE AWARE OF REACTIONS HERE TO ORIGINAL PHILIPPINE DRAFT, IN CASE PROVISIONS OF ANNEXES C AND D RESURFACE ELSEWHERE DURING PHIL REDRAFTING.

2. IN GENERAL, PHILIPPINE ATTEMPTS TO EXERCISE CONTROL OVER AIRCRAFT/SHIP MOVEMENTS ARE UNACCEPTABLE SINCE RELINQUISHING CONTROL OVER ANY ASPECT OF MOVEMENT OF OUR AIR AND NAVAL FORCES WOULD RESTRICT OUR OPERATIONAL FLEXIBILITY AND HAVE A DETRIMENTAL EFFECT ON OUR CAPABILITY TO RESPOND TO UNFORE-SEEN CONTINGENCIES.

3. THE FOLLOWING COMMENTS ARE KEYED TO APPLICABLE PARAS OF ANNEX C:

A. PARA 2. REQUIREMENT FOR "PRIOR" NOTIFICATION, PERMISSION, OR DIPLOMATIC CLEARANCE FOR ALL FLIGHTS WOULD BE UNACCEPTABLE. DUE TO VOLUME OF U.S. MILITARY AIRCRAFT ROUTINELY OPERATING FROM CLARK AB AND NAS CUBI PT TO CARRIERS IN AREA OR TO OTHER AIR FORCE BASES, ADVANCE NOTIFICATION REQUIREMENT WOULD IMPINGE UPON OPERATIONAL FLEXIBILITY AND COULD ADVERSELY AFFECT ROUTINE TRAINING, EXERCISES, OR SPECIALIZED OPERATIONS.

B. PARA 3. REQUIREMENT FOR ALL EXERCISES AND OPERATIONS TO HAVE PRIOR APPROVAL OF THE PHILIPPINE SECRETARY OF NATIONAL DEFENSE WOULD ALSO BE UNACCEPTABLE. THIS COULD BE INTERPRETED TO INCLUDE ALL FLIGHTS TO AND FROM CUBI PT OR CARRIERS IN PHILIPPINE WATERS. SHOULD APPROVAL/ DISAPPROVAL BE SELECTIVELY USED BY THE PHILS FOR WHATEVER REASON, TRAINING AND CONDUCT OF EXERCISES COULD EFFECTIVELY BE BROUGHT TO A STANDSTILL. APPLICATION FOR APPROVAL 60 DAYS IN ADVANCE WOULD BE PARTICULARLY OBJECTIONABLE.

C. PARA 4. CONCUR THAT FOR SAFETY OF FLIGHT PURPOSES, U.S. MILITARY FLIGHTS IN PHILIPPINE AIR SPACE SHOULD ADHERE TO FLIGHT RULES AND REGULATIONS ESTABLISHED BY THE PHILIPPINE CIVIL AERONAUTICS ADMINISTRATION. HOWEVER, WE DO NOT CONCUR IN REQUIREMENT FOR APPROVAL OF FLIGHT PLANS AND DEPARTURES BY PHILIPPINE AUTHORITIES. FURTHERMORE, FOR SAFETY OF FLIGHT AT U.S. MILITARY INSTALLATIONS, U.S. CONFIDENTIAL

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PAGE 03 STATE 179509

CONTROLLERS MUST DIRECT U.S. AIRCRAFT. SPECIALIZED FLIGHT OPERATIONS INVOLVING PMLP AND/OR LOW FUEL STATE AIRCRAFT OR AIRCRAFT DIVERTED FROM A CARRIER MAKE U.S. SUPERVISION AND MANNING OF CONTROL TOWERS MANDATORY.

D. PARA 5. WE ALSO WOULD OBJECT TO "PHILIPPINE ONLY" SUPERVISION FOR CRASH SITE SECURITY. REQUIREMENT TO PROVIDE DATA AND TECHNICAL ASSISTANCE TO PHILIPPINE GOVT

COULD COMPROMISE CLASSIFIED INFORMATION AND/OR EQUIPMENT
ON NEW AIRCRAFT AND/OR SYSTEMS AND SHOULD BE DELETED.

4. FOLLOWING COMMENTS ARE KEYED TO APPLICABLE PARAS OF
ANNEX D:

A. PARA 1B. WE COULD NOT CONCUR IN BROAD STIPULATION THAT
U.S. SUBMARINES REMAIN SURFACED WHEN "IN PHILIPPINE WATERS"
EXCEPT WHEN AUTHORIZED BY PHILIPPINE AUTHORITIES (DEFINI-
TION OF "PHILIPPINE WATERS" NEEDED).

B. PARA 1C. WE COULD NOT CONCUR IN REQUIREMENT FOR
PHILIPPINE SECRETARY NATIONAL DEFENSE TO APPROVE OPERATIONS
AND TRAINING IN PHILIPPINE WATERS, ESPECIALLY WITHOUT
DEFINITION OF THOSE WATERS. ALSO DISAGREE WITH REQUIREMENT
THAT PRIOR NOTIFICATION BE GIVEN TO PHILIPPINE BASE
COMMANDER. THESE REQUIREMENTS WOULD PLACE THE PHILS IN A
POSITION OF DIRECT SUPERVISION OF ALL SUCH OPERATIONS.

C. PARA 1D. PORT CONTROL AT SUBIC BAY NAVAL BASE BY
PHILIPPINE BASE COMMANDER WOULD BE UNACCEPTABLE. U.S.
NAVAL SHIP MOVEMENTS MUST BE UNDER CONTROL OF U.S. AUTHOR-
ITIES. THERE ARE TOO MANY JUDGMENTAL DECISIONS TO BE
MADE, REQUIRING INTIMATE KNOWLEDGE OF SHIP EQUIPMENT AND
OPERATIONAL NEEDS WHICH CANNOT BE MADE BY A PHILIPPINE
PORT CONTROL COMMANDER, UNFAMILIAR WITH U.S. EQUIPMENT
AND OPERATIONAL PROCEDURES.

D. PARAS 2 AND 3. WE COULD NOT CONCUR IN REQUIREMENT
FOR PHILIPPINE BASE COMMANDER APPROVAL. U.S. MUST RETAIN
COMPLETE FLEXIBILITY AND CONTROL OF SHIPS ENTERING AND
LEAVING SUBIC BAY. FOR PHILIPPINE NAVAL BASES AND PORTS
OTHER THAN SUBIC BAY, WE SHOULD SEEK TO RESCIND REQUIRE-
MENT FOR DIPLOMATIC CLEARANCE FOR EACH SHIP VISIT, OR AS
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PAGE 04 STATE 179509

FALLBACK, OBTAIN CLEARANCE ON AN ANNUAL BASES.

E. PARA 4. AS APPROPRIATE, SAME COMMENTS AS PARA D
PRECEDING APPLY. IN PARTICULAR, WE DO NOT FAVOR COM-
BINING SHORE PATROL WITHOUT FURTHER AMPLIFICATION OF
COMMAND ARRANGEMENT.

F. PARA 6. NONCONCUR.

5. WE WELCOME ANY COMMENTS DELEGATION MAY HAVE ABOUT
HOW TO HANDLE THIS PROBLEM SHOULD IT ARISE. KISSINGER

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